UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,351	10/16/2001	Yoshinobu Ikeda	NIT-307	3978

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EXAMINER
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ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/977,351	IKEDA, YOSHINOBU
	Examiner	Art Unit	
	Thomas M. Ho	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 August 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>21-23,25,27-32 and 34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>21-23,25 and 27-32, 34</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   The RCE of 8/7/06 has been received and entered.

2.   Claims 21-23, 25, 27-32, 34 are pending.

Response to Arguments

3.   The Applicant has canceled 1-20, 24, 26, 33, and 35 and has amended the remaining

claims. In light of these new amendments, the Applicant has argued:

(page 8, paragraph 3)

"On the other hand, the replica of the present invention (second information processing device)

where the copy of information on a WWW Server is maintained beforehand provides service

(information) upon demand of the user so that as a result, the WWW Server is protected from

unauthorized tampering. That is, should someone tamper with the copy of the original

information, thinking that the information being tampered with is the original information of the

WWW server, the tampering can be determined by making a comparison of the information (a

copy of the original information on the WWW Server) with the replica(s). Shapiro does not

disclose this aspect of the claimed combination."

The Examiner contends however that the advantages that the Applicant has advocated does not appear in the claims. At best the Applicant recites that a control unit compares two rewrite information pieces or check codes. It is by this test that the second information processing device knows whether or not to request the first information processing device to transmit the original information. The concept of tampered information does not appear to be present in the claims. Accordingly it is the Examiner's position that to make a determination of whether or not tampering has occurred does not need to be met by the cited references.

(page 9, paragraph 1)

"The Krishnamurthy reference does not overcome the deficiencies in the Shapiro reference as noted above with respect to comparing second rewrite information with acquired first rewrite information (Claims 21 and 30), for example. Additionally, the dependent claims further define the novel aspects of the invention that are not disclosed or suggested by Shapiro..."

Applicant's assertions that the Krishnamurthy reference does overcome the deficiencies of Shapiro is addressed by the new grounds of rejections below.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 21-23, 25, 27-32, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Shapiro, US patent 5991810 and Krishnamurthy et al., US patent 6578113.

In reference to claim 21:

Shapiro et al. (Column 2, lines 5-35) & (Figure 1) discloses a second information processing

device for providing a copy of original information to the user and for communicating with a

first information processing device, which connects to a local area network by way of an access

control device for controlling connections with said local area network and Internet, said second

information processing device connecting to said Internet and comprising:

- A memory section for storing a second copy of original information held in said first

    information processing device. Shapiro (Figure 1, "Website Storage") & (Figure 1, other

    memory elements)

Shapiro fails to explicitly disclose:

- A communications unit to acquire a first rewrite information relating to a first copy of

    original information from another second information processing device connecting to

    said Internet having said first copy of original information corresponding to said second

    copy of original information possessed by said memory section,.

- A control unit to make a second information relating to said second copy of original

    information possessed by said memory section, and comparing said second rewrite

    information with said acquired first rewrite information.

Krishnamurthy et al. (Figures 2 & 3) and (Column 3, lines 20-25) & (Column 3, line 55 –

Column 4, line 20) discloses:

- A communications unit to acquire a first rewrite information relating to a first copy of

  original information from another second information processing device connecting to

  said Internet having said first copy of original information corresponding to said second

  copy of original information possessed by said memory section, where the rewrite

  information is the validity information to determine if the information is valid, where the

  copies of the information are the stored server information and the proxy cached version,

  and where the validity information can take an example form of expiration time

  information (Column 3, lines 20-25) & (Column 3, line 55 – Column 4, line 20) and

  where the validity information relates to the cached and original information.

  Krishnamurthy et al. (Figures 2& 3)

- A control unit to make a second information relating to said second copy of original

  information possessed by said memory section, and comparing said second rewrite

  information with said acquired first rewrite information, where the rewrite information is

  the validity information and where such information is compared and where the transmit

  unit transmits a request for the original information when the information is denoted as

  invalid, indicating the information is different. (Column 3, lines 20-25) & (Column 3,

  line 55 – Column 4, line 20) & Krishnamurthy et al. (Figure 3, Item 303)

Shapiro does disclose that the cache may be refreshed when the HTTP request or web page has a more recent version. (Column 6, lines 5-12) As previously stated, the second information processing device is held to be the proxy cache, the first information processing device is held to be the website server.

Krishnamurthy et al. (Figures 2 & 3) discloses a method wherein said second information processing device acquires information relating to changes in information held by the first information processing device and issues said transmit request when changes to said information have been made, where the transmit request is made (Figure 3, Items 305, 306, 307) when the cached data is currently held to be invalid. (Figure 2).

Krishnamurthy et al. (Column 2, lines 43-45) teaches that it would be beneficial to provide stronger cache coherency.

Similarly, Shapiro (Column 6, lines 5-12) teaches changing the expired website data helps to ensure that the most current webpage data is stored in the block [cache] and that the block is not cluttered with infrequently accessed data.

It would have been obvious to one of ordinary skill in the art at the time of invention to apply the cache updating/validation mechanism of Krishnamurthy et al. as the updating mechanism of Shapiro in order to achieve the benefit of cache coherency and to ensure the most current web page data is stored in the block.

In reference to claim 22:

Krishnamurthy et al. (Figure 3) & (Column 3, line 55 – Column 4, line 20) discloses a second

information processing device according to claim 21, wherein said communications unit requests

said first information processing device to transmit said original information of said second copy

possessed by said memory section when said first rewrite information does not match to said

second rewrite information results.

In reference to claim 23:

Krishnamurthy et al. discloses a second information processing device according to claim 21,

wherein said first and said second rewrite information are check codes, where the information

relating to the changes in information held by both the first and second information processing

devices is a check code of validity or freshness. (Figure 2) & (Column 2, lines 22-42)

In reference to claim 25:

Shapiro (Column 2, lines 5-35) & (Figure 1) discloses a second information processing device

according to claim 22, wherein said communications unit requests said original information by

an HTTP protocol.

In reference to claim 27:

Shapiro ((Column 2, lines 5-35) & Figure 1) & Krishnamurthy et al. as previously combined

discloses a second information processing device for providing a copy of original information to

the user and for communicating with a first information processing device, which connects to a

local area network by way of an access control device for controlling connections with said local

area network and Internet, said second information processing device connecting to said Internet

and comprising:

- A memory section for storing in advance a copy of original information held in said first

  information processing device; where the cache stores a copy of the website information

  of the webserver or first information processing device (Figure 1, Item 54)

- A communication unit for receiving a connection request from another second

  information processing device connecting to said Internet, and acquiring said original

  information from said first information processing device when said copy of original

  information of the connection request is not in said memory section, where the request is

  received from the client which causes the requested original information to be stored in

  the proxy cache if it is not in the memory section. (Column 2, lines 5-35) & (Column 3,

  lines 24-56)

Shapiro fails to disclose:

- A control section to calculate rewrite information of said acquired information, wherein

  said communication unit sends said calculated rewrite information to said another second

  information processing device.

Krishnamurthy et al. (Column 3, line 15 – Column 4, line 21) discloses:

- A control section to calculate rewrite information of said acquired information, wherein
  said communication unit sends said calculated rewrite information to said another second
  information processing device, where the rewrite information is generated for the proxy
  data.

Claim 28 is rejected for the same reasons as claim 23.

Claim 29 is rejected for the same reasons as claim 25.

Claim 30 is rejected for the same reasons as claim 21.

Claim 31 is rejected for the same reasons as claim 22.

Claim 32 is rejected for the same reasons as claim 23.

Conclusion

6.   The following art not relied upon is made of record:

- US patent 5586260 discloses an authentication system between a server and a client
  where the server and client may have different security systems implemented, and
  wherein the server ID is stored within a cache.

- US patent 6202169 discloses a transitioning system between redundant systems on a
  network that involves the updating of address tables in proxy caches.

- US patent 6303561 discloses a proxy server that makes a request to determine if the
  information within the proxy server is valid.

7.   Any inquiry concerning this communication from the examiner should be directed to

Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be

reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Gilberto Barron can be reached on **(571)272-3799.**

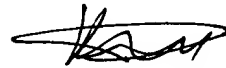The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist   Telephone: 571-272-2100   Fax: 571-273-8300
Customer Service Representative   Telephone: 571-272-2100   Fax: 571-273-8300

TMH

August 15th, 2006.

KAMBIZ ZAND
PRIMARY EXAMINER